IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER ST.NO.35510 OF 2002.

Dilip KumarShamavas Prasad & ors. .... Appellants.
Versus
Municipal Corporation of Gr.Mumbai
and another. .... Respondents.

Shri M.V.Holmagi for the Appellants.

Shri A.J.Bhor for the Respondents.

CORAM : ABHAY S.OKA, J.

DATED : 11th January 2005.

P.C.:

1. Office objections are dispensed with. Heard Shri Holmagi for the Appellants.

2. The Appellants have taken exception to the order dated 9th September 2002 passed by the learned trial Judge by which ad-interim relief has been refused. The learned trial Judge made the notice of motion returnable on 8th October 2002. For a period of more than two years, there is no ad-interim order operating in favour of the Appellants. No case is made out for grant of ad-interim relief at this stage. Hence the Appeal is dismissed with no order as to costs. It is made clear that the Notice of Motion, if pending, will be decided by the learned trial Judge on its own merits.

Judge.